

## Message Text

CONFIDENTIAL

PAGE 01 SANTIA 06709 062309Z

73

ACTION ARA-10

INFO OCT-01 ISO-00 CIAE-00 COME-00 EB-07 INR-07 LAB-04

NSAE-00 SIL-01 CU-02 AID-05 /037 W

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R 062155Z OCT 75

FM AMEMBASSY SANTIAGO

TO SECSTATE WASHDC 5079

C O N F I D E N T I A L SANTIAGO 6709

ARA/LA/MRSD O'GRADY PASS SUBSTANCE TEXT PARAS 3-6 TO IV EDUARDO  
RIOS AND AIFLD GRANTEE ERNESTO VOGEL, AIFLD AND AFL-CIO

E.O. 11652: GDS

TAGS: CI, PINT, ELAB

SUBJECT: GOC NAMES COMMISSIONS FOR STUDY OF LABOR CODE

1. SUMMARY. SEPTEMBER 30 "DIARIO OFICIAL" CARRIED TEXT OF  
NEW "RESOLUTION" CREATING FIVE TRIPARTITE COMMISSIONS WHICH  
WILL ADVISE ON DRAFTING OF NEW LABOR CODE. WITH ONE EXCEPTION  
ALL OF LABOR MEMBERS NAMED ARE LEGITIMATE NATIONAL LEADERS,  
MAJORITY OF WHOM ARE SERIOUS CRITICS OF GOC LABOR AND ECONOMIC  
POLICY. IV GRANTEE RIOS AND AIFLD VISITOR VOGEL (BOTH OF WHOM  
ARE PRESENTLY ATTENDING AFL-CIO CONVENTION IN US) ARE NAMED TO  
ONE OR MORE COMMISSIONS.

2. NAMING OF REAL LEADERS REPRESENTS SIGNIFICANT DEPARTURE FROM  
PAST GOC POLICY AND ITS STAND ON PROPOSED LABOR CODE. IT  
IMPLIES THAT GOC IS READY TO GIVE MORE MEANINGFUL ROLE TO REAL  
LEADERS OF CHILEAN UNIONS, OR AT LEAST OFFICIALLY RECOGNIZE THEM.  
REACTION OF FEW LABOR LEADERS NAMED TO COMMISSIONS WITH WHOM  
WE HAVE HAD CONTACT INDICATES MOVE IS WELCOME. IT ALSO  
INDICATES THAT FINAL CODE WILL NOT BE PROMULGATED FOR SOME TIME  
TO COME. END SUMMARY. END CONFIDENTIAL

3. BEGIN LIMITED OFFICIAL USE. "DIARIO OFICIAL" SEPTEMBER 30  
CARRIED TEXT OF "RESOLUTION NO. 735" WHICH CREATES FIVE TRIPARTITE  
COMMISSIONS CHARGED WITH RESPONSIBILITY OF "FORMULATING OBSERVATIONS  
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PAGE 02 SANTIA 06709 062309Z

AND COMMENTS" IN CREATION OF NEW LABOR CODE. THREE OF THE FIVE

COMMISSIONS WILL STUDY THREE SEPARATE CHAPTER SECTIONS (LIBROS) OF THE PROPOSED CODE, AND REMAINING TWO WILL STUDY THE SPECIFIC AREAS OF AGRICULTURAL WORKERS AND MARITIME TRADES.

4. THE OFFICIAL RESOLUTION NAMES BOTH MANAGEMENT AND LABOR MEMBERS OF EACH COMMISSION. ALL LABOR MEMBERS ARE ELECTED AND LEGITIMATE LEADERS OF NATIONAL UNIONS WITH THE EXCEPTION OF EL TENIENTE COPPER MINE LEADER GUILLERMO MEDINA, WHO REPRESENTS SMALL LOCAL UNION. IV GRANTEE EDUARDO RIOS IS NAMED ON MARITIME AND CHAPTER II COMMISSIONS. AIFLD VISITOR ERNESTO VOGEL IS ON CHAPTER I COMMISSION. ALL OF GOC'S PRINCIPAL LABOR CRITICS ARE NAMED TO ONE OR MORE COMMISSIONS.

5. SEVERAL OF THE APPOINTED LABOR MEMBERS HAVE TOLD LABATT THEY HAVE BEEN INFORMED BY GOC THAT COMMISSIONS WILL PROBABLY MEET TWICE EACH WEEK AND THAT SESSIONS WILL PROBABLY BEGIN DURING WEEK OF OCTOBER 12. THEY HAVE RESERVATIONS THAT COMMISSIONS WILL BE ABLE TO INFLUENCE PROPOSED CODE SIGNIFICANTLY BUT ARE ENCOURAGED THAT GOC HAS AT LEAST NAMED PARTICIPANTS WHO TRULY REPRESENT LABOR. ALL EXPRESSED OPINION THAT THE ACT COMES FROM DECISION OF "HIGHEST LEVEL" OF GOC AND OVER LABOR MINISTER DIAZ' OBJECTIONS.

6. IN APPARENTLY PARALLEL ACTION TO COVER GOVERNMENT BUREAUCRACY, WHICH DOES NOT COME UNDER LABOR CODE, "DIARIO OFICIAL" OCTOBER 3 PROMULGATED DECREE NO. 1086 ENTITLED "CREATION OF COMMISSION FOR THE STUDY OF ORGANIC LEGISLATION COVERING UNION ACTIVITY IN CIVIL ADMINISTRATION." ALTHOUGH DECREE DOES NOT NAME MEMBERS OF COMMISSION, IT STIPULATES NAMES OF LABOR ORGANIZATIONS WHICH WILL BE REPRESENTED. ONE OF THESE IS THE NATIONAL UNION OF EDUCATION WORKERS (SUTE), WHICH WAS ABOLISHED DURING THE FIRST WEEK FOLLOWING THE 1973 COUP. (SUTE AT THE TIME WAS CHILE'S LARGEST LABOR UNION. IT ENCOMPASSED ALL PUBLIC SCHOOL EMPLOYEES AND TEACHERS. EMBASSY CANNOT EXPLAIN ITS INCLUSION.)  
END LIMITED OFFICIAL USE - DECLASSIFY UPON RECEIPT.

7. BEGIN CONFIDENTIAL. COMMENT: CREATION OF THE COMMISSIONS SURPRISED EVERYONE, INCLUDING THE NAMED PARTICIPANTS. THE ACT REPRESENTS A CONSIDERABLE REVERSAL OF GOC LABOR POLICY, SINCE GOC HAS HERETOFORE CLAIMED THAT THE LABOR CODE REVISIONS WERE CONFIDENTIAL

CONFIDENTIAL

PAGE 03 SANTIA 06709 062309Z

BEING PREPARED AND WOULD PROBABLY BE FINALIZED LATE THIS YEAR. WHETHER THESE COMMISSIONS ARE TO BE GIVEN A SIGNIFICANT ROLE IN THE DEVELOPMENT OF THE CODE REMAINS TO BE SEEN, BUT THEIR CREATION SIGNIFIES THAT THE FINAL CODE WILL NOT BE READY FOR SOME TIME TO COME.

8. THE DESIGNATION OF LEGITIMATE NATIONAL LABOR LEADERS AS COMMISSION PARTICIPANTS WILL BE WELL RECEIVED BY CHILEAN

LABOR. THE INCLUSION OF A MAJORITY WHO ARE SERIOUS CRITICS  
OF GOC LABOR AND ECONOMIC POLICY INDICATES THAT THE GOC INTENDS  
TO OFFER A MORE MEANINGFUL ROLE TO THE LEGITIMATE MOVEMENT THAN  
IT HAS IN THE PAST TWO YEARS. EVEN IF, AS WE SUSPECT, THE  
COMMISSIONS HAVE LITTLE EFFECT AS ADVISORS, THE EVENT REPRESENTS  
AN OFFICIAL RECOGNITION OF THE REAL LEADERS OF THE MOVEMENT,  
WHO HAVE IN THE PAST BEEN PRACTICALLY IGNORED.  
POPPER

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